

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

JANUARY 18, 2000

PRESENT:

Ted F. Short, Chairman

Jim Shaw, Vice Chairman

Joanne Bond, Commissioner

Jim Galloway, Commissioner

Amy Harvey, County Clerk

Katy Singlaub, County Manager

Madelyn Shipman, Legal Counsel

ABSENT:

Pete Sferrazza, Commissioner

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

**00-41 AGENDA**

Katy Singlaub, County Manager, noted that on Item No. 9, Public Hearing concerning the Regional Public Safety Training Center, the public hearing will be opened to receive public comment and will then be continued to January 25<sup>th</sup>. In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the agenda for the January 18, 2000, meeting be approved.

**PUBLIC COMMENTS**

Sam Dehne, local resident, discussed the recent article in the Reno-Gazette Journal concerning citizens supposedly "attacking local government via the Internet." He stated that the newspaper distorted the truth about citizens who are trying to bring the truth to other citizens, which is ironic since the newspaper owes their existence to freedom of speech.

**MINUTES**

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the minutes of the regular meeting of December 21, 1999, be approved.

**00-42 ACCEPTANCE OF GENERAL, HEALTH AND PUBLIC WORKS CONSTRUCTION FUNDS FINANCIAL REPORT - FIVE MONTHS ENDED NOVEMBER 30, 1999**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the General, Health and Public Works Construction Funds financial report for the five-month period ended November 30, 1999, be accepted.

Commissioner Shaw complimented the Comptroller's Office for the format of the report which contains excellent charts and is easy to read.

**00-43 AWARD OF BID - MOSQUITO ABATEMENT PRODUCTS - BID NO. 2208-2000 - HEALTH DEPARTMENT**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on December 8, 1999, for mosquito abatement products for the Environmental Health Division of the District Health Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Fennimore Chemicals  
Target Specialty Products, Inc.  
Van Waters & Rogers-West Sacramento  
Zanus Corporation

Clark Mosquito Control Products and Las Vegas Fertilizer Company Inc. submitted "no-bid" responses; and Abbott Laboratories, London Fogg, Inc., Van Waters & Rogers-San Jose, and Zoecon Corporation failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that Bid No. 2208-2000 for mosquito abatement products for the Environmental Health Division of the District Health Department be awarded to the following bidders:

<b>Bidder</b>	<b>Bid Item</b>	<b>Description/Brand of Items Offered</b>	<b>Cost</b>
Fennimore Chemicals	# 3	PYROCIDE #7067: Mosquito fogging concentrate in 5-gallon container	\$138.00 per gal.

Van Waters & Rogers	# 4	Agnique MMF Liquid: Packaged in 5-gallon containers	\$37.00 per gal.
Zanus Corp.	# 1	ZOECON ALTOSID 30 DAY BRIQUETTES: 400 Briquettes per carton	\$348.68 per carton
	# 2	ZOECON ALTOSID PELLETS: Packaged in 22-pound containers	\$529.00/container
	# 5	Vectolex CG, COATED GRANULES: Packaged in 40-pound sacks	\$3.65 per pound
	# 6	Anvil 2 + 2: Packaged in 2.5 gallon container, 2 per case.	\$50.00 per gallon

It was further ordered that the Purchasing and Contracts Administrator be authorized to procure these products, with the approval of the District Health Department, when circumstances make it necessary and/or desirable to do so.

It was noted that due to budget constraints and limited product availability, chemically similar products are available from the awarded suppliers; that the products shall be procured on a requirements basis during the term of the agreement which shall run from the date of award through November 30, 2000, with the County retaining the option for a one year extension of any resultant agreement(s) from the Invitation to Bid.

**00-44 AWARD OF BID - JAIL HOUSING UNITS 1, 2 & 3 HOT WATER PIPING LOOP REPLACEMENT - BID NO. 2215-2000 - FACILITIES MANAGEMENT**

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on December 10, 1999, for Jail Housing Units 1, 2 and 3 hot water piping loop replacement on behalf of the Facilities Management Division of the General Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- Savage & Son Inc.
- J.W. McClenahan Co.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner

Galloway, which motion duly carried, Chairman Short ordered that Bid No. 2215-2000 for Jail Housing Units 1, 2 and 3 hot water piping loop replacement on behalf of the Facilities Management Division of the General Services Department be awarded to the lowest responsive and responsible bidder, Savage & Son, Inc., in the amount of \$76,165.00. It was noted that this amount includes the base bid of \$30,478.00 for Item 1 (Hsg Units 1-2); add alternate #1A (Hsg Unit 3) in the amount of \$15,239.00 and two additional housing units at the price of \$30,478.00.

It was further ordered that the two additional housing units be approved for replacement at this time due to the contractor's agreement to extend their bid price for the additional housing units, \$15,239 per unit, and that the Purchasing and Contracts Administrator be authorized to execute an agreement with Savage & Son Inc. to perform the work.

**00-45 CORRECTION OF FACTUAL ERRORS - 1999/2000 SECURED AND UNSECURED TAX ROLLS**

Upon recommendation of Jean Tacchino and Tom Sokol, Assistant Chief Deputy Assessors, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon and mailed to the affected property owners, a copy of which has been placed on file with the Clerk. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and Chairman Short be authorized to execute on behalf of the Commission.

<b><u>NAME</u></b>	<b><u>APN/ID NO.</u></b>	
Alfred S. & Jeanne M. Trejo	150-021-25	(1999/2000 Secured Roll)
Tim R. & Vickie L. Brown	150-021-26	(1999/2000 Secured Roll)
Ruth Mayland	035-357-05	(1999/2000 Secured Roll)
Jon P. & Diane F. Benedetti	009-433-26	(1999/2000 Secured Roll)
Sulahria Family Trust	028-153-21	(1999/2000 Secured Roll)
Neil & Pamela Duxbury	041-092-03	(1999/2000 Secured Roll)
Thode & Associates	2/101-535	(1999/2000 Unsecured Roll)
Accomplished Ink	2/102-953	(1999/2000 Unsecured Roll)
Oasis Media Inc.	2/119-097	(1999/2000 Unsecured Roll)
Milton L. Sharp Consulting Engineer	2/172-113	(1999/2000 Unsecured Roll)
Results Resources	2/182-507	(1999/2000 Unsecured Roll)
Norwest Financial Leasing Inc.	2/190-490	(1999/2000 Unsecured Roll)
Great Western Floor Supply Inc.	2/279-107	(1999/2000 Unsecured Roll)

**00-46 WATER RIGHTS DEED - JUDY KAY BRYANT HAMACHER, CO-TRUSTEE OF THE JOHN B. HAMACHER TRUST**

Upon recommendation of John Collins, Manager, Utility Services Manager, through Ed Schmidt, Water Resources Director, on motion by

Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following actions be taken in support of Galena Village, a commercial retail and office building, APN 047-162-08:

- 1. The Water Rights Deed for 2.24 acre feet of groundwater rights from a portion of Permit 26654, Certificate 8568, further abrogated by Permit 64461, between the John B. Hamacher Trust, as Grantor, and Washoe County, as Grantee, be approved and Chairman Short be authorized to execute.
- 2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

**00-47 WATER RIGHTS DEED - STEPHANIE AND SPENCER PHUNGPHIPHADHANA**

Upon recommendation of John Collins, Manager, Utility Services Manager, through Ed Schmidt, Water Resources Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following actions be taken in support of the Phungphiphadhana’s and Westbrook’s parcel maps located within Warm Springs Valley:

- 1. The Water Rights Deed for 2.0 acre feet of groundwater rights from Permit 62640 and 5.5 acre feet of groundwater rights from 62641 for a total of 7.5 acre feet between Stephanie Phungphiphadhana and Spencer Phungphiphadhana, as Grantors, and Washoe County, as Grantee, be approved and Chairman Short be authorized to execute.
- 2. The Utility Services Division Manager be directed to record the Water Rights Deed with the County Recorder.

It was noted that 2.5 acre-feet of water rights is in support of Phungphiphadhana’s parcel map creating one new parcel and 5.0 acre-feet is in support of Westbrook’s parcel map creating two new parcels currently a part of APN077-120-10 and 076-241-01 respectively.

**00-48 WATER RIGHTS QUITCLAIM DEED - JAKSICK/LAKERIDGE GOLF COURSE LTD - WATER SALE AGREEMENT - SIERRA PACIFIC - UTILITY SERVICES**

Upon recommendation of John Collins, Manager, Utility Services Division, Department of Water Resources, through Ed Schmidt, Director, Department of Water Resources, on motion by Bond, seconded by Galloway, which motion duly carried, it was ordered that:

- 1. The previously recorded Water Rights Quitclaim Deed between Sam S. Jaksick, Jr., the Estate of Thelma Jaksick, deceased, by Sam S. Jaksick co-executor, and Lakeridge Golf Course Ltd., collectively as Grantors, and Washoe County, as Grantee, be approved.
- 2. The Water Sale agreement between Sierra Pacific Power Company and Washoe County be approved.
- 3. Chairman Short be authorized to execute the previously recorded Water Rights Quitclaim Deed and the Water Sale Agreement.
- 4. The Utility Services Division Manager be directed to rerecord the Water Rights Quitclaim Deed and record the Water Sale Agreement with

the County Recorder.

**00-49 RESOLUTION - MEMBERSHIP - WARM SPRINGS CITIZEN ADVISORY BOARD - COMMUNITY DEVELOPMENT**

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution reducing membership of the Warm Springs Citizen Advisory Board from seven to five be adopted and duly executed:

**RESOLUTION**

**WHEREAS**, The Warm Springs Citizen Advisory Board requested that the Board of County Commissioners of Washoe County reduce the membership of the Citizen Advisory Board from seven to five; and

**WHEREAS**, The Citizen Advisory Board believes the citizens of Warm Springs can be effectively represented and informed of decisions and actions of the Board of County Commissioners with reduced membership; now, therefore, be it

**RESOLVED, BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA**, That the Warm Springs Citizen Advisory Board be restructured, as amended in the following paragraph, as set forth under Sections 5.425 to 5.435, inclusive, of the Washoe County Code; and be it further

**RESOLVED**, That Warm Springs Citizen Advisory Board shall henceforth consist of five at-large members (reduced from seven members) appointed by the Board of County Commissioners.

**INTRODUCTION OF NEW EMPLOYEES**

Katy Singlaub, County Manager, invited approximately 28 new Washoe County employees to introduce themselves to the Board members. Chairman Short welcomed the new employees on behalf of the Board.

**00-50 APPEARANCE - KRYS BART & RICHARD SIMON- AIRPORT AUTHORITY OF WASHOE COUNTY**

Geno Menchetti, Chairman, Washoe County Airport Authority, introduced Krys Bart, Airport Authority Executive Director, Richard Simon, Legal Counsel for environmental planning matters, Adam Mayberry, Public Relations, Dean Schultz, Planning Manager, and Sjohnna Knack, Noise Abatement Manager, and advised that the matters that will be addressed today are the status of Federal Aviation Regulation Part 150 Noise Compatibility Program, the U. S. Postal Service (USPS) relocation, and the forthcoming Environmental Assessment (EA) regarding growth in the southwest quadrant of the airport.

Ms. Bart provided a briefing on the Part 150 program and stated that because a number of significant things have changed at the airport since the existing Part 150 which was done in 1993 it was decided that a new Part 150 needs to be done; and that the new study will include a significant amount of public participation. She reviewed the RFP and consultant selection process for the Part 150 and the composition and functions of the Citizen Advisory Committee and the Planning Advisory Committee which were created to receive input from the community

throughout the process. Ms. Bart then advised that the process is expected to take 18-24 months to complete; that there will be four public workshops; and that there should be two very prominent conclusions when the study is completed, which are (1) noise exposure maps, and (2) a noise mitigation plan.

Commissioner Galloway commented that questions have been raised concerning whether a hush-kitted 727 at this altitude and low rate of ascent should have been designated a Stage 3 aircraft, and asked whether this issue and the Part 150 has input in Washington. Ms. Bart advised that the Federal Aviation Administration (FAA) clearly recognizes a hush-kitted 727 as a Stage 3 aircraft and the airport cannot discriminate or deny access to those aircraft; that the 727 is as safe as any other aircraft and a number of them currently fly in and out of the airport, both for passenger and cargo; that there is more than one 727 with different engines and a statement cannot be made as to whether they create more or less noise than other aircraft; but that issue will be considered along with every other operating characteristic of aircraft. She further advised that she serves on the Airport's Council International and the American Association of Airport Executives, and their main legislative goal is financing with their second goal being phase out or legislation that would address Stage 4 aircraft; and that as a representative of the industry and this community she is very involved in Washington working on these issues. She noted, however, that at this time there is no legislation in Washington to consider a change in the current legal position, but the industry associations are very aggressively working to change that situation.

Mr. Simon discussed legal issues concerning the USPS and what the Airport Authority can and cannot do. He advised that this problem is seen all around the country; that in 1990 Congress adopted the Airport Noise and Capacity Act which mandated the phase-out of Stage 2 aircraft by January, 2000, with the tradeoff being the elimination of the power of all airport proprietors to unilaterally impose noise restrictions; that this prevents the imposition of limits or indirect restrictions or conditions on any access by any air carrier or operation; and that this is a significant restraint to all airports because it limits the airport or the community to achieve what they believe is best for their community. He then stated that because the USPS is a Federal entity, it falls under the regulations of the National Environmental Policy Act (NEPA), which requires an environmental analysis to determine the impacts of their operation, and his advice to the Airport Authority was that the most it could require of USPS was an Environmental Assessment (EA); that it is up to the USPS to decide whether the Environmental Assessment will or will not lead to an Environmental Impact Statement (EIS), and their decision could only be challenged in court. Mr. Simon then discussed the current status of the USPS and stated that they did do a draft EIS which was not required, and have received comment from the County, the airport, and other interested parties; that it is anticipated that the final Environmental Assessment will be issued in the near future and will contain a final conclusion by the USPS as to whether or not there are significant impacts of their operation; that if they conclude there are significant impacts they would then be required under Federal law to conduct a full EIS; and that he would doubt that a full EIS would differ much from the EA concerning the noise, because that issue is thoroughly addressed in the EA. He further explained that if the USPS determines that there are no significant impacts they will issue a Finding of No Significant Impact (FONSI), which will, in theory, end their obligations under NEPA; that they can, as part of the FONSI, adopt noise mitigation measures, and it is anticipated that they probably will do so; that, although everyone knows that additional departures and arrivals between midnight and 2:00 a.m. will create impacts, the USPS will be dealing with the technical standard to determine whether there will be a certain decibel increase within certain areas over residential property; and that he believes they are likely to conclude that there will not be technically significant impacts. He then stated that the Airport Authority has proposed several mitigation's to limit noise impacts such as limiting cargo weights, paying attention to which runways are used, and optimizing departures; and that the County can encourage the USPS to be responsible and adopt as many mitigation's as possible. Mr. Simon then responded to questions of

the Board.

Ms. Bart then presented a map and discussed the airport land use plan for the future. She stated that cargo is growing at a far more rapid rate than anticipated and it has been determined that the best place for cargo over the long term is in the southwest quadrant of the airport, and they have concluded that it is important for the airport to conduct an Environmental Assessment for future cargo development. She noted that the airport land use plan represents a very long term proposal and is very flexible at this point. Ms. Bart responded to questions of the Board and advised that, if USPS comes to the airport, the current plan is for them to operate in the existing cargo area for three years and then ultimately relocate to the southwest area.

Chairman Short noted that several people have indicated that they wish to speak on this matter.

Sam Dehne, area citizen, commented that Mr. Simon has been hired by the airport to promote their plans; that an attorney on the other side will say just the opposite relative to what the airport can and cannot do; that an Environmental Assessment with no citizen input is a farce as well as the Part 150 Program; that the airport is stealing land from citizens through condemnation for no good reason; that \$6-million in taxes from a runway improvement fund has been used for the USPS before a contract has even been negotiated; and that he has nothing against the natural progression of democracy and capitalism but his taxes should not be paying for land and subsidization for cargo operations.

Robert Cameron, member of the Southwest Truckee Meadows Citizen Advisory Board, Airport Advisory Panel, and Citizens For Airport Accountability (CFAA), stated that the CFAA gathers information off the web from around the world and they have found that Europe is very adamant against hush-kitted aircraft, and that the FAA has issued an air worthiness directive that the 727's that have been converted to cargo from passenger have inadequate flooring to hold the weight down. He then stated that the 1990 Airport Act was brought about by the lobbying of the industry and the FAA and successfully locked everybody's hands for any action for a 10-year period, and he does not know what takes place after the 10-year period is up; that a curfew is in place in San Jose; and that they are not against existing passenger or cargo flow, but are against a hub in the middle of the night.

Jackie Decker, area citizen, stated that an EIS needs to be done by the airport before it does any more expansion; that the airport has chosen to bite off tiny chunks for expansion and cover those with a simple environmental analysis so they do not have to address cumulative impacts or comply with NEPA regulations; that she congratulates Ms. Bart and the administration for recommending a Part 150, but believes that is going to do more of what they have always been doing; that once the cargo planes get here there is no getting them out and the planes and the noise and environmental impacts will continue to multiply; that the airport wants to cover the planned north terminal expansion capital project and the cargo and warehouse distribution center to the southwest with an EA; and that noise impacts continue to increase in spite of environmental assessments.

Frank Partlow, area citizen, stated that it is unfortunate that the Board has to hear these issues when it has absolutely no power to do anything about them; and that the system is wrong and he has personally contacted each congressional delegation about the situation, and was told it is a local issue, which is just wrong. He further stated that this matter is about a very large number of people as the airport is not only a resource for every one of the 300,000+ citizens that the Board represents, but is also the resource for 550,000 who are in the catchment area of the airport.

Chairman Short and Katy Singlaub, County Manager, thanked everyone for their comments. Commissioner Galloway noted that the economic issue is another important consideration in running an airport, and this creates a dilemma as to how to recover revenue losses in declining passenger totals, etc. and whether or not to expand cargo.

**00-51 APPEARANCE - CHERIE JAMASON - TRUCKEE MEADOWS HUMAN SERVICES ASSOCIATION**

Cherie Jamason, Chief Administrator for the Food Bank of Northern Nevada, and President of the Truckee Meadows Human Services Association (TMHSA), provided a brief review of the Truckee Meadows Human Services Master Plan 1999. She reviewed background information and advised that the master plan was first published in 1992; that a visioning document was published in 1998 and sixteen issue teams were formed to study common themes and identify the trends that are occurring in the community; that the document presented today contains the top three goals and trends from each issue group, with the full list of goals being available in a separate document; and that the Master Plan will be the basis for the Health and Human Services section of the One Region One Vision community vision document. She noted the goal outlining the need for additional funding, advising that government funding is disappearing and it is incumbent on everyone to secure the dollars necessary to operate human services in the Truckee Meadows.

Commissioner Galloway stated that he can accept the report as valuable input for future planning, but there are a couple of statements he does not agree with. Ms. Jamason stated that initial statements from the visioning group were just observations and not necessarily to be considered a condemnation or criticism.

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, Chairman Short ordered that the report of the Truckee Meadows Human Services Master Plan 1999 be accepted.

**00-52 PUBLIC HEARING - RESOLUTION AUTHORIZING MEDIUM TERM FINANCING - REGIONAL PUBLIC SAFETY TRAINING CENTER**

**10:30 a.m.** This was the time set for continuance of public hearing from the January 11, 2000 meeting concerning the authorization of medium-term financing for the Regional Public Safety Training Center.

Katy Singlaub, County Manager, advised that this item would need to be continued to next week's meeting.

Chairman Short called on anyone wishing to speak and there was no response.

On motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that this item be continued to January 25, 2000.

**00-53 OVERFILL HUMAN RESOURCES ANALYST POSITION**

Upon recommendation of Anna Heenan, Senior Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the overfill of one Human Resources Analyst position be authorized for a period not to exceed six months.

## **00-54 RESIGNATIONS/APPOINTMENTS - NORTH VALLEYS CITIZEN ADVISORY BOARD - COMMUNITY DEVELOPMENT**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Short ordered that the resignations of Stephen Rogers and David Walsh as at-large representatives on the North Valleys Citizen Advisory Board (CAB) be accepted. It was further ordered that Roger Edwards be appointed to fill the position vacated by Mr. Rogers with a term to expire June 30, 2001, and that Joanne Holbrook be appointed to fill the position vacated by Mr. Walsh with a term to expire June 30, 2000.

## **REPORT - STATUS OF INCLINE VILLAGE CONSTABLE INTERIM APPOINTMENT**

Commissioner Galloway advised that the interim appointment of the Incline Village Constable affects his district and, taking his guidance from the Board retreat, it would be his duty to make a recommendation to the Board concerning that appointment. He stated that he requested input from the District Attorney, the Incline Justice of the Peace, and the Incline Sheriff's Office and developed a desired profile; that an ad was placed in the newspaper indicating that there would be a background check and that P.O.S.T. certification would be preferable, and 10 applications were received; that he reviewed the paperwork and personally called each applicant for a preliminary interview and sought advice of some of the people that would be working with the Constable; that, although there were many acceptable applicants, it was determined to narrow the field because of the cost to do the background checks; and that there are currently three finalists and he hopes to present a recommendation for the Board's consideration next month. He then commented that the requirements for the applicants were not legally required, but that when the Board makes an appointment, there is far more responsibility than in an elective situation, and he would want to be able to show that the diligence was done to avoid any possible conflict of interest issues, etc.

## **00-55 UPDATE - RETRAC PROJECT ENVIRONMENTAL IMPACT STATEMENT**

Katy Singlaub, County Manager, noted that Commissioner Galloway requested that this item be placed on next week's agenda in the event additional information is requested that would need to be presented at that time.

David Roundtree, Public Works Director, conducted a PowerPoint presentation of the status of the ReTRAC project, assisted by Mimi Fujii-Strickler, Public Works Department. He advised that Lee Saage, Nolte Associates, Inc.; Jerry Hall, Strategic Project Management; Ron Byrd, Stantec Consulting; and John Price, Federal Highway Administration, were present to answer questions. Mr. Roundtree reviewed background information and advised that the process has provided for public meetings and public input concerning the type of issues that should be addressed in the preparation of the Environmental Impact Statement (EIS); that the various alternatives were evaluated and a screening report was prepared and reviewed at a public meeting held at the City of Reno on December 15, 1999; and that the estimated delivery of the draft EIS is May, 2000 with the final record of decision anticipated to be in November, 2000. He then reviewed the identified alternatives and the screening matrix, advising that only two alternatives satisfied all of the criterion set out by the development team and the consulting team, being (1) the proposed depressed trainway, and (2) a modification of the tunneling proposal; and that these two alternatives plus the 'No Build' alternative which is required as part of the process, will be carried forward for further evaluation in the Environmental Impact Statement. Discussion was then held concerning soil and water sampling that occurred along the downtown alignment.

Commissioner Galloway noted that a couple of the alternatives were eliminated because of criterion that might not remain the same, such as costs, etc.; that, since the County is a cooperating agency in the EIS process, it can provide input; and that if the Board questions the

evaluation of any of the criterion, he thinks it is reasonable to request that one or more of the alternatives be carried forward for further study. He then advised that he provided copies of a report listing 12 cost issues raised by economist Gary Horton and he would ask that the Board consider requesting that those allegations be addressed; and that he would also like to receive information explaining to what extent the contract between the Nevada Department of Transportation and Nolte Associates, Inc. requires that the questions raised by Mr. Horton and others should be addressed.

Lee Saage, Nolte Associates, Inc., Project Manager for the Reno Railroad Corridor Environmental Impact Statement, advised that a professional cost estimate for construction was provided based on the level of design being prepared under the contract; that cost estimates are not normally prepared as part of an EIS as cost is not an environmental consideration, but they are under contract to prepare refined cost estimates as part of the Preliminary Engineering Report; that the cost estimates to date are very preliminary and will become more detailed and reliable the further the process goes with the design; and that they are confident with the preliminary cost estimates, but if any alternative on cost was found to be flawed, they would have an obligation to redo the draft EIS. Upon inquiry of Commissioner Galloway concerning Board input in the EIS, Mr. Nolte advised that the Federal Highway Administration is the agency that would direct them in terms of what alternatives they consider.

Commissioner Bond stated that she does not mind Mr. Horton providing the report as she expects to receive contradictory cost estimates, but does resent the blatant accusations throughout the document which, in her opinion, degrades the value of the information Mr. Horton is trying to present. Commissioner Shaw agreed.

Commissioner Galloway asked that the Board step back from Mr. Horton's abrasive style and simply look at the allegation that there are some missing line items. He stated that he thinks Nolte Associates has a lot of credibility and feels it is reasonable to request that they look at those allegations and either dismiss or affirm them. He further stated that, relative to Alternative 2(I), Short Term Grade Separations, he thinks there is a cost benefit ratio that could be considered and would ask that the Board consider requesting that that alternative be carried forward for further analysis.

Chairman Short noted that several people have requested to speak on this item.

Sid Robinson, area citizen, discussed his concerns regarding the criteria used for evaluating and eliminating the alternative concerning minimum grade separation and offered suggestions as to other options for that alternative that could be considered in the evaluation.

Mike Robinson, area citizen, referred to information he provided to the Board which he advised was taken from the documentation presented at the EIS meeting on December 15, 1999 at the City of Reno and from the contract with Nolte Associates. He discussed concerns regarding the criteria used for the screening process, stating that modifications to some of the alternatives were not considered and many of the studies were not done in enough detail. He then discussed issues concerning groundwater contamination and the information contained in the geotechnical report presented on December 15th stating that the remediation district formed by Washoe County would have to pay for the clean-up of contaminated water that will be brought up when the railroad trench is opened.

County Manager Singlaub advised that the remediation district was formed to remediate PCE in the groundwater and is not to be used for other kinds of remediation that might be required for this project. Legal Counsel Shipman advised that the State law authorizing the remediation

district specifically requires preapproval from the Board of County Commissioners for any activity; that a project is responsible for its own costs associated with disturbing existing contamination; and that the only costs remediable through the district are those that have been preapproved by this Board as being consistent with the plan that was adopted and approved by the State for the remediation of groundwater in the Truckee Meadows.

Frank Partlow, area citizen, advised that he has done some investigation of the water remediation district and a number of alternatives are still available to Washoe County; that citizens are already being charged for water remediation which charge goes on until all drinking water is cleaned up; that the law provides for a second tier of water remediation, which is a way to pay for these things; and that whether the trench is built or not there is dirty water under the City of Reno that is contaminating wells and citizens are already paying for the clean up. He then stated that he is very comfortable that there is a lot of professionalism throughout this process; that a lot more engineering needs to be done before bids and costs are talked about in detail; and that the process should be allowed to proceed with every step being evaluated along the way.

Commissioner Galloway agreed with the statements made by Mr. Partlow and commented that he simply would like to be reassured that Nolte Associates has looked at the report and the alleged missing line items, and why the short term solution alternative was ruled out; and that he feels discussion on these items and direction to staff concerning these issues could be held next week when all Commissioners are present.

Commissioner Bond stated that she wants the best possible alternative for this project and has no problem requesting that further investigation be done; and that she feels that direction could be given today.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, Chairman Short ordered that staff be directed to forward a request to the Federal Highway Administration that Alternative 2(I), Short Term Grade Separations, be carried forward in the EIS process for more analysis to include a comparison on a cost benefit ratio with some of the other alternatives; and that the allegations set forth in the report by Economist Gary Horton be addressed.

**COMMUNICATIONS AND REPORTS**

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

**00-56 Communications:**

1. Agreement, Sierra Arts Foundation, Gallery Curator for Northwest Reno Library, signed by John Balentine on behalf of the County.
2. Notice of Proposed Abandonment of Property filed in United States Bankruptcy Court for APC, Inc, a Delaware Corporation, 5825 Oberlin Drive, Suite 100, San Diego, CA 92121.
3. From the Washoe County School District, a signed copy of the resolution from the Board of Trustees augmenting certain funds of the district for the Fiscal Year ending June 30, 2000, approved by them on December 14, 1999.

**00-57 Reports - Monthly (November 1999)**

- A. Animal Control
- B. County Clerk
- C. Court Clerk
- D. Social Services
- E. Treasurer

**Reports - Annual Financial Reports (Year Ended June 30, 1999)**

- 00-58 A.** Airport Authority of Washoe County
- 00-59 B.** Incline Village General Improvement District
- 00-60 C.** North Lake Tahoe Fire Protection District
- 00-61 D.** Regional Transportation Commission
- 00-62 E.** Reno, City of
- 00-63 F.** Sparks, City of
- 00-64 G.** Truckee Meadows Water Reclamation Facility
- 00-65 H.** Verdi Television Maintenance District

\* \* \* \* \*

There being no further business to come before the Board, the meeting adjourned at 12:50 p.m.

TED F. SHORT, Chairman  
Washoe County Commission

ATTEST: AMY HARVEY, County Clerk